

EXHIBIT H

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[9] Q. You mentioned a bag of [10] groceries.

[11] Can you carry a bag of groceries [12] with your right hand without your back [13] bothering you?

[14] A. As I said before, I buy minimum.

[15] Q. Minimum amount of weight?

[16] A. Yes.

[17] Q. What is the minimum, a couple of [18] pounds?

[19] A. Things that I need.

[20] Q. Are you able to lift anything [21] with your left hand?

[22] A. No. I try sometimes.

[23] Constantly, I'm trying to work [24] with my left hand because – but usually I [25] shift immediately to the right, not

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[2] immediately but to my right hand.

[3] Q. What sort of things do you carry [4] that you shift from your left hand to your [5] right hand?

[6] A. Put it this way, with my left [7] hand I cannot even pay a toll.

[8] Q. You can't pay a toll?

[9] A. I cannot pay a toll; when I go [10] to pay a toll, usually money falls from my [11] hand.

[12] I cannot feel the money in my [13] fingers.

[14] Q. Starting with your left shoulder [15] and sort of going down your arm, what [16] would like you to do is tell me everything [17] that is wrong with that extremity.

[18] A. Again?

[19] Q. Starting on the left, what's [20] wrong with your arm, starting from your [21] shoulder down?

[22] A. The shoulder, I don't have any [23] problem.

[24] Q. What's next?

[25] A. The elbow.

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[2] Q. And what is presently wrong with [3] your elbow?

[4] A. Pain.

[5] Q. And where is the pain located?

[6] A. The same area where it was [7] located at the time after surgery, the [8] first one.

[9] Q. And that is the back part of [10] your elbow?

[11] A. Correct.

[12] Q. How often do you have that pain?

[13] A. I have it at the present time.

[14] Q. Does it come and go?

[15] A. If I will do, if somebody will [16] touch my elbow, I will have increased [17] pain.

[18] If I do any, if I try to do [19] anything with my hand, it increases.

[20] Q. If you don't touch your elbow [21] and you are not moving your hand, does [22] your elbow still hurt?

[23] A. I still have pain.

[24] Q. How would you describe the pain [25]

in your elbow when you are not touching

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[2] your elbow or moving it?

[3] A. Annoying.

[4] Q. And do you take any medication [5] for the annoying pain?

[6] A. Only over-the-counter.

[7] Q. What do you take?

[8] A. I'm taking Tylenol or Advil.

[9] Q. How many of those do you take?

[10] A. As needed.

[11] Q. How would you describe the pain [12] if you touch your elbow, or if you are [13] moving your arm?

[14] A. If you touch my elbow, I will [15] get a shock – shooting pain to my fingers [16] 4 and 5.

[17] Q. And do you take any medicine for [18] that?

[19] A. For what?

[20] Q. For the shooting pain to 4 [21] and 5?

[22] A. I do not know if there is [23] medication for that.

[24] Q. When you have the shooting pain [25] to fingers 4 and 5, how long does that

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[2] last?

[3] A. There is a pain that comes – [4] this pain is a result of a touch.

[5] Q. It comes and goes with the [6] touch?

[7] A. What happens, after this [8] happens, this fades away slowly, and I [9] will come back to like I had before this [10] kind of touch.

[11] Q. How long does it take for the [12] pain from the touch to fade out?

[13] A. Depends on what kind of touch I [14] had.

[15] Q. What is the range?

[16] A. Could be less than two minutes [17] or it can be more than two minutes.

[18] Again it depends.

[19] Q. What about any pain you might [20] have from moving your elbow?

[21] A. Most of the time I try not to [22] move – [23] Q. When you do move it –

[24] A. Move it this way?

[25] Q. In any fashion, do you have pain

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[2] when you move your elbow?

[3] A. I have the regular pain that I [4] always have.

[5] Q. What other problems do you have [6] with your left arm, the whole length of [7] the spectrum, we did the shoulder and [8] elbow, what else do you have?

[9] A. Carpal tunnel syndrome again.

[10] Q. In your wrist?

[11] A. Yes.

[12] Q. What kind of problems does that [13] present for you?

[14] A. Sometimes, but not all of the [15] time, I get numbness in fingers 1, 2 [16] and 3.

[17] Fingers 4 and 5, I have less [18] sensation, and this resulted from the [19] ulnar nerve injury of 1991.

[20] And in general, I have to be [21] very cautious about my left hand.

[22] Q. You mentioned that you have [23] numbness in fingers 1, 2 and 3 sometimes.

[24] How often do you experience [25] that?

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[2] A. Not very often.

[3] Q. Is there a way of describing it?

[4] A. Numbness.

[5] Q. How often, frequency?

[6] A. However often I'm going without [7] a splint. As long as I go with the [8] splint, I'm okay.

[9] Q. When you use a splint, there is [10] no numbness?

[11] A. No.

[12] MR. DINHOFER: In 1, 2 and 3?

[13] MR. BURFORD: Right.

[14] Q. If you don't use a splint, how [15] often do you experience the numbness?

[16] A. Depends what I do. If I do [17] something to aggravate it a couple of [18] times, I will get it again.

[19] If I do not aggravate it, I [20] won't get it.

[21] Q. On those occasions when you [22] aggravate the carpal tunnel, how long does [23] the numbness last?

[24] A. When I realize, I change [25] position, and takes a few minutes and it

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[2] goes away.

[3] Q. The numbness at 4 and 5, the [4] loss of sensation at 4 and 5, how often [5] does that happen?

[6] A. Permanently.

[7] Q. Permanently?

[8] A. Yes.

[9] Q. Are there days when it is better [10] than other days?

[11] A. No, it's permanently; the same [12] thing all of the time.

[13] Q. It doesn't change?

[14] A. No.

[15] Q. Okay, what other problems do you [16] have on the left?

[17] A. I cannot carry money, coins and [18] stuff like that.

[19] I do not really have feeling if [20] it is a quarter or something like that.

[21] And when I need to pay a fee on [22] the bus, I need to do it with my right [23] hand.

[24] When I want to use my left, I [25] cannot do it.

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[2] When I take a shower, I need to [3] be very careful not to scrub my elbow or [4] touch my elbow.

[5] If I take a trip or sit in a [6] bus, I have to sit with by left hand being [7] protected.

[8] If I take an elevator, I have to [9] look for the corner of the elevator that [10] nobody will touch my elbow.

[11] Really, all of my life has been [12] centered around how to protect myself from [13] injuring my elbow.

[14] Q. Any other problems on the left?

[15] A. No.

[16] Q. Now, do the same thing for me on [17] right.

[18] Starting from the shoulder down, [19] any problems?

[20] A. I have no problems up to the [21] wrist, from the shoulder up to the wrist, [22] I have no problem.

[23] Q. What's the problem with the [24] wrist?

[25] A. I have from time to time

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[2] numbness in fingers 1, 2 and 3.

[3] Q. How frequently does that happen?

[4] A. It happens when I do something [5] to aggravate the carpal tunnel.

[6] Q. What sort of things aggravate [7] the carpal tunnel?

[8] A. Typing. If I have to type, I [9] cannot type with my left hand any more.

[10] So, I work with my right hand.